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**FILED**

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SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PACIFIC GAS AND ELECTRIC  
COMPANY,

Defendants.

No. C 14-00175 WHA

**AMICUS BRIEF**

ANDREW PAUL KANGAS hereby submits the following Amicus brief in the matter of the United States of America v. Pacific Gas and Electric Company.

This Amicus brief draws the Court's attention to a serious threat to loss of life and property, and threat to public safety in connection with this case, posed by PG&E's Diablo Canyon Nuclear Power Plant, Unit #1.

PG&E was convicted on January 26th, 2017, of Criminal negligence in the pursuit of profit to the exclusion of reasonable safety, after the company failed to maintain and test its gas line in San Bruno California under the Federal Pipeline Safety Act. (2002). PG&E is on probation supervised by the United States District Court, Northern District, San Francisco Venue Pacific Gas and Electric Company, Docket Number 0971 3:14CR00175-001 WHA. PG&E was convicted of various felonies for killing eight San Bruno residents in an avoidable 2010 gas explosion. PG&E's pipes blew up because the company deferred maintenance to save money. The Court has acknowledged that PG&E is continuing to act with disregard for the public safety when he recently asked PG&E's president, should I "let you keep killing people?"

1 On January 26, 2016 Judge Thelton E. Henderson ordered PG&E to create a  
2 corporate ethics program within the company when PG&E had willfully failed to  
3 prioritize as high risk over-pressurized pipelines. Amicus suggests to the court that  
4 PG&E is in violation of the ethics oversight it was ordered to perform within its  
5 probation.

6 On January 30, 2019 PG&E appeared in court in response to an allegation  
7 that it has violated its probation by failing to report to probation that the Butte  
8 County District Attorney's Office had negotiated a settlement agreement, forgoing any criminal  
9 prosecution or punishment for the October 2017 Butte County fires. PG&E failed to report an  
10 investigation by the Butte County District Attorney's Office to the probation office. PG&E also  
11 failed to report to the probation office that Cal Fire had deemed them responsible for the October  
12 2017 Honey Fire; that there was the possibility of criminal prosecution; or that they entered into  
13 a settlement agreement with Butte County to avoid such criminal prosecution.

14 On February 6, 2019 a PG&E gas line exploded under a San Francisco street. A National  
15 Transportation Safety Board team is investigating the explosion that left two buildings with  
16 major structural damage and three others with extensive water damage. Flames shot high in the  
17 air for more than two hours before crews stopped the flow of gas.

18 PG&E is under investigation for failing to shut off its grid power supply during a high  
19 wind event, after publicly notifying residents of the area of the Camp Fire that it would take this  
20 step to avoid the possibility of a power line downed by wind starting a fire. PG&E could not  
21 shut its power grid down because PG&E's electrical system lacks installed switching equipment.  
22 Pacific Gas & Electric has filed for bankruptcy protection after being sued for billions of dollars  
23 for igniting the November 2018 Camp Fire which destroyed the community of Paradise  
24 California. PG&E's northern California power lines ignited at least 17 fires in which scores died  
25 and a thousand homes burned.

26 Within PG&E the company is well known to prefer to maximize profit at the expense  
27 of maintenance and equipment. This policy is known internally as "Use Until Fail". The lines,  
28 towers and grid control equipment in the area of Paradise California were substandard, and dated  
from the 1940's. In May 2018 the California Public Utilities Commission specifically ordered  
PG&E to replace power lines in this area, which the company failed to do prior to the devastating  
fire, which resulted from the company's inability to effectively shut down its power grid on  
November 8th, 2018.

1 The Court is empowered to compel PG & E to provide for the public safety. The matter  
2 Amicus draws the Court's attention to is the shutdown of PG&E's Diablo Canyon Nuclear  
3 Power Plant, Unit #1 in the event of an earthquake. Amicus calls on the Court to enjoin PG&E  
4 from operating Unit #1. Amicus is in agreement with the recent statement of nuclear engineer  
5 Arnold Gunderson before the California Public Utilities Commission on January 27, 2017, as to  
6 the undetermined state of embrittlement of Unit #1 and the technical danger posed in the event of  
an earthquake.

7 PG&E is currently guaranteed a large rate based fee as long as the reactors at Diablo  
8 Canyon continue to operate until the planned 2025 date. PG&E has demonstrated it does not  
9 hold the Public's safety above profit. Its history of engineering decisions is proven to be neglect.  
10 Amicus calls for the Court to issue an injunction against the company, to impose an independent  
11 engineering assessment of Unit # 1 at the Diablo Canyon Nuclear Power Plant.

12 DATED: April 4, 2019

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Plaintiff in Pro Se  
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